

Pa 45

N.B. FOR CLERK'S USE ONLY
JUDGMENT ENTERED ON DOCKET October 17, 19 83
PURSUANT TO MASS.R.CIV.P.58(a) AND NOTICE SENT
TO PARTIES PURSUANT TO MASS.R.CIV.P.77(d)
AS FOLLOWS:

COMMONWEALTH OF MASSACHUSETTS

SUFFOLK, ss.

SUPERIOR COURT DEPARTMENT
OF THE TRIAL COURT
CIVIL ACTION

No. 54258

MICHAEL J. FLYNN PLAINTIFF(S)

v.

CHURCH OF SCIENTOLOGY OF DEFENDANT(S)
CALIFORNIA, INC., et al

JUDGMENT OF DISMISSAL
(OTHER THAN WHEN ISSUES DECIDED BY COURT OR JURY)

THE COMPLAINT OF PLAINTIFF(S) MICHAEL J. FLYNN

IS DISMISSED AS TO DEFENDANT(S) CHURCH OF SCIENTOLOGY OF CALIFORNIA, INC.,
CHURCH OF SCIENTOLOGY OF BOSTON, INC., KEVIN TIGHE, ROBERT JOHNSON & / ^{DAVID ADEN}
~~WITH~~ PREJUDICE - ~~WITHOUT~~ COSTS.

DATED AT BOSTON, MASSACHUSETTS, THIS 12TH DAY OF OCTOBER 19 83.

- NOTICE SENT:
- J-17-83
- G.B.&F
- G.
- L.S.
- D.B.
- & ASSOC.
- M.B.
- & S.
- W.R.

MICHAEL JOSEPH DONOVAN,
CLERK OF COURT

By: *John Pynes*
ASSISTANT CLERK

*Strike inapplicable words

rb.

G

Qm

A
WLF

Notary

COMMONWEALTH OF MASSACHUSETTS

SUFFOLK, SS.

SUPERIOR COURT DEPARTMENT
C.A. No. 54258

MICHAEL J. FLYNN
Plaintiff

VS.

CHURCH OF SCIENTOLOGY OF
CALIFORNIA, INC., et al
Defendant

PLAINTIFF'S MOTION TO DISMISS

SUFFOLK ss. SUPERIOR CIVIL COURT
DEPARTMENT OF THE TRIAL COURT

Oct 12 19 *83*

ALLOWED BY THE COURT.

ATTEST: *[Signature]*

[Signature]

Plaintiff moves to dismiss without prejudice pursuant to
Mass.R. Civ.P. #41(a)(2).

As grounds therefor, plaintiff states that no counterclaims
have been filed, no discovery has taken place to date and there is
no prejudice to defendants in allowing this dismissal.

Sept 29, 1983
Motion set down for hearing
on Wed, Oct 12, 1983 at

9:30, room 243

By the Court
(Purcell J)

[Signature]
for Plaintiff

by his attorneys,

HOLLINGSWORTH & ASSOCIATES

by *[Signature]*

David M. Banash
10 Union Wharf
Boston, Massachusetts 02109
(617) 227-5100

ICE SENT:

10-83

S.A.S.SOC.

M.B.

G.

S.

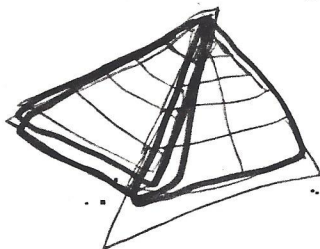
L.S.

D.B.

Dated: September 29, 1983

ESSENCE OF A DRAFT ORDER

Even if it is assumed for the purposes of Mass.R.Civ.P. 56 that it has been established on this record that the defendants are a religion or a religious organization and the statements (and even the acts) which are claimed to be religious relate to religious beliefs and practices of the defendant, there still remains a "triable" issue. The plaintiffs have caused to appear on the record that certain statements, acts and practices of the defendants had a secular purpose or were effected entirely on a secular basis, and as such, have created a jury issue in this regard.



Report it -

- better writing -
- decided interlocutory
⑤ appeal review -

- Exact wording -
Essence + draft
he has written

Not Report it

- guideline -
chance to
24
- P. Order Benefits
vs. natural
or
Relig -
- if not necessary -